

## Message Text

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44

ACTION EUR-25

INFO OCT-01 AF-10 NEA-14 ISO-00 IO-14 L-03 CIAE-00 DODE-00

PM-07 H-03 INR-11 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01

SP-03 SS-20 USIA-15 OMB-01 CIEP-03 EB-11 SAM-01 SAJ-01

DRC-01 /157 W

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R 231330Z SEP 74

FM AMEMBASSY MADRID

TO SECSTATE WASHDC 33

INFO AMEMBASSY THE HAGUE

AMEMBASSY LISBON

AMEMBASSY NOUAKCHOTT

AMEMBASSY PARIS

AMEMBASSY RABAT

AMEMBASSY ROME

AMEMBASSY TRIPOLI

AMEMBASSY TUNIS

USUN NY 422

USCINCEUR

UNCLAS MADRID 5957

E.O. 11652: N/A

TAGS: PFOR, PBOR, MO, SP, AG, MR

SUBJECT: SPANISH REACTION TO MOROCCAN PROPOSAL FOR  
ICJ HANDLING OF SAHARAN ISSUE

REF A. MADRID 5867 B. RABAT 4515

1. SUMMARY: GOS HAS NOT REACTED OFFICIALLY TO PROPOSAL  
BY MOROCCAN KING HASSAN TO SEEK DECISION BY INTERNATIONAL  
COURT OF JUSTICE (ICJ) ON ORIGINAL OWNERSHIP OF SPANISH  
SAHARA. MEDIA AND COMMENTARIES HAVE UNIFORMLY DISCOUNTED  
USEFULNESS OF PROPOSAL WHILE EXPRESSING RECOGNITION THAT HASSAN  
HAS CHOSEN DIPLOMATIC RATHER THAN BELLIGERANT COURSE FOR  
SOLUTION OF DISPUTE. SPANISH MEDIA HAVE KEPT SAHARAN  
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ISSUE IN PUBLIC FOCUS BY PUBLISHING ACCOUNTS OF RECENT  
FIRST-HAND VISITS TO SAHARA AND REPORTS FROM OTHER COUNTRIES

AND NEW YORK ABOUT COOL RESPONSE TO HASSAN'S PROPOSAL.  
SPANISH MILITARY CONTINUE TO MAINTAIN ALERT IN  
SAHARA. END SUMMARY.

2. SPANISH MEDIA REPORTED FULLY ON KING HASSAN'S PROPOSAL  
TO HAVE SAHARAN ISSUE BROUGHT BEFORE ICJ IN HIS PRESS  
CONFERENCE SEPT 17 (REF B), BUT OMITTED REPORTS OR COMMENTS  
ABOUT INTERNAL MOROCCAN AFFAIRS COVERED BY HASSAN.  
GOS HAS NOT YET TAKEN PUBLIC POSITION  
WITH RESPECT TO MOROCCAN PROPOSAL. SPANISH MEDIA, HOWEVER,  
HAVE HIGHLIGHTED COMMENTS BY RESPECTED SPANISH INTERNATIONAL  
LAWYERS AND FROM FOREIGN PRESS SUGGESTING THAT ICJ IS NOT  
PROPER VENUE FOR DISCUSSION OF DECOLONIZATION ISSUE. UN  
COMMITTEE ON DECOLONIZATION IS CITED AS PROPER VENUE FOR  
DISCUSSION OF SAHARAN ISSUE, PARTICULARLY AS UN RESOLUTION  
OF DECEMBER 1973 PROVIDES BASIS ON WHICH SPAIN IS CARRYING  
OUT DECOLONIZATION. COMMENTARIES ALSO CITE PRECEDENT OF  
EARLIER REFUSAL OF ICJ TO TAKE UP ISSUE OF DECOLONIZATION  
OF GIBRALTAR BECAUSE IT WAS A POLITICAL ISSUE WHICH PROPERLY  
FELL WITHIN JURISDICTION OF UN COMMITTEE. ACCORDING TO  
SPANISH MEDIA, REACTION IN NEW YORK HAS BEEN COOL TO MOROCCAN  
PROPOSAL. MEDIA ALSO REPORT THAT FOREIGN OBSERVERS  
SPECULATE THAT GOS WOULD NOT ACCEPT MOROCCAN PROPOSAL.

3. SPANISH PRESS HAS ALSO CARRIED REPORTS THAT MOROCCO'S  
NEIGHBORS HAVE NOT ENDORSED HASSAN'S PROPOSAL SINCE THEY  
WERE ALREADY COMMITTED TO SELF-DETERMINATION AS DESCRIBED  
IN UN RESOLUTION. "PUEBLO" (JOURNAL OF SPANISH SYNDICATES)  
PUBLISHED SEPT 17, FOR EXAMPLE, INTERVIEW WITH LYBIAN  
LEADER QADHAFI WHO SAID THAT LYBIA SUPPORTED SELF-  
DETERMINATION FOR THE SAHARANS, "IF THEY WANT TO BE  
INDEPENDENT, LYBIA WILL SUPPORT INDEPENDENCE. IF THEY  
WANT TO UNITE THEMSLEVES WITH THEIR NEIGHBORS, LYBIA  
WOULD RESPECT THAT DECISION." QADHAFI ALSO SAID THAT IN  
THE EVENT OF A "FRATRICIDAL WAR BETWEEN MOROCCANS,  
ALGERIANS AND MAURITANIANS, LYBIA WOULD NOT INTERVENE."  
IN HIS VIEW, POSSIBILITY OF SUCH A STRUGGLE "WOULD NEVER  
JUSTIFY DENYING INDEPENDENCE" TO SAHARANS. ACCORDING TO  
"YA" (CATHOLIC) SEPT 18, NEITHER ALGERIA NOR MAURITANIA  
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SUPPORT HASSAN'S PROPOSAL.

4. COMMENTARY IN "LA VANGUARDIA" (INDEPENDENT) SEPT 20  
NOTES THAT PRINCIPAL OBSTACLE TO HASSAN'S PROPOSAL IS THAT  
IT NEGLECTS FACT THAT THERE ARE FIVE INTERESTED PARTIES  
IN SAHARAN ISSUE: SPAIN, MOROCCO, MAURITANIA, ALGERIA,  
AND SAHARANS THEMSELVES. MOROCCAN PROPOSAL IF ACCEPTED  
BY SPAIN, WOULD AMOUNT TO ELIMINATING THREE OTHER  
INTERESTED PARTIES.

5. SAHARAN ASSEMBLY HELD SPECIAL MEETING IN EL AAIUN  
SEPT 19. SPANISH MEDIA REPORTED SEPT 20 THAT SAHARAN  
LEADERS UNANIMOUSLY REJECTED ANY "FOREIGN INTERVENTION,"  
PARTICULARLY BY MOROCCO. THEY UNANIMOUSLY OPPOSED  
ACCEPTANCE OF KING HASSAN'S PROPOSAL FOR SUBMISSION OF  
ISSUE TO ICJ. WITH RESPECT TO REFERENDUM, SAHARAN  
LEADERS SAID THAT THEY WOULD ACCEPT IT ON CONDITION THAT  
ONLY SAHARANS THEMSELVES VOTE.

6. CAPTAIN GENERAL OF CANARY ISLANDS, WHO IS RESPONSIBLE  
FOR DEFENSE OF SAHARA, AND DIRECTOR GENERAL FOR PROMOTION  
OF SAHARA, BLANCO, IN PRESIDENT'S OFFICE, TERMINATED  
INSPECTION TRIP TO SAHARA SEPT 21. CORRESPONDENTS REPORT  
FROM SAHARA THAT MILITARY ALERT IS CONTINUING AND THAT  
SPANISH ARMY HAS MOVED TROOPS 12 KILOMETERS BACK FROM  
MOROCCAN FRONTIER IN ORDER TO AVOID INCIDENTS.  
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